

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, APRIL 9, 1991  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:05 a.m. A quorum was not present. A quorum was present at 10:13 a.m. with Council Members Hartley, Bernhardt, Henderson and McCarty not present. The meeting was recessed by Mayor O'Connor at 10:53 a.m. into Closed Session in the twelfth floor conference room, to discuss pending litigation and meet and confer items, and to reconvene the meeting at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:12 p.m. with Council Members Hartley, Bernhardt, Henderson, and McCarty not present. Mayor O'Connor adjourned the meeting at 2:19 p.m. to meet as the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member Hartley-present
  - (4) Council Member Pratt-present
  - (5) Council Member Bernhardt-not present
  - (6) Council Member Henderson-not present
  - (7) Council Member McCarty-excused by R-277901  
(attend White House Conference in Sacramento)
  - (8) Council Member Filner-present
- Clerk-Abdelnour (ll,eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-50: (O-91-144) TRAILED TO MONDAY, APRIL 15, 1991 AS  
UNFINISHED BUSINESS

Amending Chapter V, Article 9, Division 1 of the San Diego Municipal Code by amending Section 59.0104, relating to Activities Prohibited within the San Diego Jack Murphy Stadium Parking Facility, by eliminating tailgating on the finger walkways and traffic turn areas. (Introduced on 3/25/91. Council voted 8-0. District 7 not present.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A288-464.)

Motion by Pratt to adopt. Second by Filner. Failed by the following vote: Yeas-1,4,8. Nays-2,3,M. Not present-5,6,7.

Motion by Roberts to note and file. Second by Hartley. Failed by the following vote: Yeas-2,3,M. Nays-1,4,8. Not present-5,6,7.

ITEM-310: PRESENTATION MADE

Presentation by Costis Toregas, President of Public Technology, Inc. (PTI) of a Technology Achievement Award for Recycling to the City Council. The PTI Board is comprised of members of the National League of Cities and the International City Manager's Association.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A035-089.)

BY COMMON CONSENT THE PRESENTATION WAS MADE.

ITEM-330:

Appeal of Mr. and Mrs. Edward Brantz and Mr. and Mrs. Jon Whittecar, from the decision of the Planning Commission in denying Coastal Development Permit CDP-90-0660 to demolish an existing one-story, single-family residence and to construct a three-story, three-unit, approximate 5605-square-foot building. The subject property is located at 3326 Bayside Walk and is described as Lot A, Block 113, Mission Beach, Altered Map 1809, in Zone R-S, in the Mission Beach Community Plan area.  
(CDP-90-0660. District-2.)

Subitem-A: (R-91-1862) ADOPTED AS RESOLUTION R-277645

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0660 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-91-1863) GRANT THE APPEAL, GRANT THE PERMIT, ADOPTED AS RESOLUTION R-277646

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM-CDP-90-0660

COUNCIL ACTION: (Tape location: A093-271.)

Hearing began 10:25 a.m. and halted 10:39 a.m.

Testimony in favor by Ken Kellogg, Ron Davis, Gregg Rawdin, Bob Moore and Rebecca Heldt.

MOTION BY ROBERTS TO GRANT THE APPEAL AND GRANT THE PERMIT. Second by Pratt. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-91-1853) GRANT THE PERMIT, ADOPTED AS  
RESOLUTION R-277647

Request for Conditional Use Permit CUP-90-0870, to construct approximately 160 linear feet of six-foot high concrete and rock walls designed to contain up to 200 crematory urns. The proposed wall will contain a 3,000-square-foot open air courtyard within an existing garden at the First Methodist Church of San Diego. The subject property is located at 2111 Camino Del Rio South between Mission Center Road and Texas Street and is described as a portion of Lot 1110 of the Pueblo Lands of San Diego, Map No. 36. The MV-CO-CV zoned site is within the Mission Valley community planning area.  
(CUP-90-0870. District-5.)

Adoption of a Resolution granting or denying the permit with appropriate findings to support Council action.

FILE LOCATION: PERM-CUP-90-0870

COUNCIL ACTION: (Tape location: A272-280.)

Hearing began 10:39 a.m. and halted 10:40 a.m.

MOTION BY PRATT TO GRANT THE PERMIT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-91-153) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17628 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by exempting one Principal Planner position in the Planning Department (065) from the

Classified Service; amending the personnel authorization schedule of the Planning Department (065) to reflect the position as Unclassified; and establishing a salary rate therefor.  
(See memorandum from the Personnel Director dated 3/8/91 and memorandum from the Planning Director dated 10/22/90.)

PLANNING DEPARTMENT SUPPORTING INFORMATION: This Ordinance will exempt one Principal Planner from the Classified Service, effectively reclassifying an existing Senior Planner position to Principal Planner in order to implement the reorganization of the Environmental Analysis Section of the Planning Department. This reorganization will create a separate section for Environmental Review of City CIP projects such as the Clean Water Program and other public improvements. This change will result in improved functional control of program activity as well as correct an existing overly broad span of control in the Environmental Analysis Section. The Civil Service Commission reviewed this request pursuant to Charter Section 117 on March 7, 1991 and commented favorably on the proposed exemption.

ENVIRONMENTAL IMPACT: Categorically exempt.

NOTE: See Item 200 on the docket of Monday, April 8, 1991 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A285-287.)

MOTION BY PRATT TO INTRODUCE AND ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-91-1678) ADOPTED AS RESOLUTION R-277644

Proclaiming the City's honor of hosting the representatives of the Gymnastics Association of Thailand, for ten days of instruction, training, competition, and learning the social, cultural and historic values of America, and commending the Kalos Kagathos Foundation, the Gymnastics Center of San Diego, and the Gymnastics Olympica of Los Angeles, for their on-going achievements in the sport of gymnastics.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B029-041.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-334: CONTINUED TO APRIL 16, 1991, 2:00 P.M.

(Trailed as Unfinished Business from the meeting of Tuesday, March 19, 1991, Item 336; Continued from the meeting of March 25, 1991, Item S401, at Councilmember Wolfsheimer's request, at the request of the applicant.)

Request to rezone approximately 1.28-acres from Zone A-1-10 to Zone R-1-5000/SL (Small Lot Overlay Zone) and for a 12-lot subdivision (Russet Leaf Lane West) at a site located on the west side of Russet Leaf Lane between Entreken Way and Calderon Road, in the Penasquitos East Community Plan area. The subject property is further described as Parcel 6 of Parcel Map PM-14576.

(Case and TM-90-0443. District-1.)

Subitem-A: (R-91-1190)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0443 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-91-119)

Introduction of an Ordinance for R1-5000/SL Zoning.

Subitem-C: (R-91- )

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

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FILE LOCATION: Subitem-A ZONE ORD NO., Subitem-B --,  
Subitem-C SUBD Russet Leaf Lane West

COUNCIL ACTION: (Tape location: B041-065.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 16, 1991, 2:00 P.M. AND DIRECT THE PLANNING DEPARTMENT AND ENGINEERING DEPARTMENT TO REPORT BACK ON THE ISSUE OF EASEMENTS INVOLVED TO HOOK UP ADOBE FALLS SCHOOL. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-335 (R-91-1498) CONTINUE TO APRIL 16, 1991, 2:00 P.M.

(Continued from the meeting of March 26, 1991, Item 334, at Councilmember McCarty's request, to review the impact fees.) Revising the Housing Trust Fund Housing Impact Fees by the two percent increase in the building cost Index of the Cost Indices for Twenty Cities published by M.C. McGraw-Hill, Inc.; authorizing the City Engineer to revise the Housing Trust Fund Housing Impact Fees as specified in Ordinance O-17454 (New Series); declaring that the Housing Commission shall issue an informational report to the City Council on the percentage increase or decrease in the fees. (See Housing Commission Report HCR-91-004CC.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B065-073.)

MOTION BY PRATT TO CONTINUE TO APRIL 16, 1991, 2:00 P.M. AT MAYOR O'CONNOR'S REQUEST FOR FULL COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

ITEM-CS-1: (R-91-1733) ADOPTED AS RESOLUTION R-277648

A Resolution adopted by the City Council in Closed Session on Tuesday, April 9, 1991:

Authorizing the City Manager to pay the total sum of \$27,000 in settlement of each and every claim against the City, its agents and employees resulting from personal injury to Deola White; authorizing the City Auditor and Comptroller to issue one check in the amount of \$27,000 made payable to Deola White and her attorney, Stafford W. Prante.

Aud. Cert. 9100794

ITEM-CS-2: (R-91-1687) ADOPTED AS RESOLUTION R-277649

Authorizing the City Manager to pay the total sum of \$28,713.15 in the settlement of each and every claim against the City of San Diego, its agents and employees resulting from property damages incurred by Sidney Wexler; authorizing the City Auditor and Comptroller to issue one check in the amount of \$28,713.15 made payable to Sidney Wexler in full settlement of all claims.

Aud. Cert. 9100752

FILE LOCATION: MEET

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO MAYOR

Comments by Ron Bociung requesting the City of San Diego to proclaim May 10 as a Special Day for Charles Lindbergh.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B074-098.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 2:19 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B099).